

SENATE BILL NO. 207

INTRODUCED BY J. POMNICHOWSKI, B. BENNETT, M. BLASDEL, E. BOLDMAN, J. COHENOUR, P. FLOWERS, J. GROSS, G. HERTZ, T. JACOBSON, E. MCCLAFFERTY, S. MORIGEAU, C. POPE, M. SWEENEY, S. WEBBER, E. BUTTREY, R. FARRIS-OLSEN, W. GALT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ALCOHOL LAWS RELATING TO HOURLY RESTRICTIONS ON CERTAIN OFF-PREMISES CONSUMPTION SALES; REMOVING THE RESTRICTION ON RETAIL OFF-PREMISES SALES BETWEEN 2 A.M. AND 8 A.M. RELATING TO THE SALE OF BEER, TABLE WINE, OR BOTH IN THE ORIGINAL PACKAGE; PROVIDING THAT CERTAIN RETAIL LICENSEES MAY NOT SELL ALCOHOL BETWEEN 2 A.M. AND 6 A.M.; AND AMENDING SECTION 16-3-304, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 16-3-304, MCA, is amended to read:

"16-3-304. Closing hours for licensed retail establishments. (1) Except as provided in subsection (2) and 16-3-305, all licensed establishments ~~wherein~~ in which alcoholic beverages are sold, offered for sale, or given away at retail ~~shall~~ must be closed each day between 2 a.m. and 8 a.m.; provided, however, that when any municipal incorporation has by ordinance further restricted the hours of sale of alcoholic beverages, then the sale of alcoholic beverages is prohibited within the limits of any such city or town during the time such sale is prohibited by this code and in addition ~~there~~ during the hours that it is prohibited by such ordinance. During such hours all persons except the alcoholic beverage licensee and employees of ~~such~~ the licensed establishment ~~shall~~ must be excluded from the licensed premises.

(2) ~~The prohibition of retail sales between 2 a.m. and 8 a.m. in subsection (1) does not apply to licenses issued under 16-4-115 for the sale of beer, table wine or both in the original package for off-premises consumption.~~ FOR ESTABLISHMENTS LICENSED UNDER 16-4-115 FOR THE SALE OF BEER, TABLE WINE, OR BOTH IN THE ORIGINAL PACKAGE FOR OFF-PREMISES CONSUMPTION, SALES ARE PROHIBITED EACH DAY BETWEEN 2 A.M. AND 6 A.M."

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